

PLANNING COMMISSION MINUTES

The City of Raleigh Planning Commission met on October 11, 2016 at 9:00 A.M., in Room 201 of the Municipal Building.

Planning Commission Members Present: Chair Braun, Ms. Alcine, Mr. Fluhrer, Ms. Hicks, Ms. Jeffreys, Mr. Lyle, Mr. Schuster, Mr. Swink, Mr. Terando and Mr. Tomasulo

Staff Members Present: Assistant Planning Director Crane, Planner Dillard, Planner Hill, Planner Huemer, Deputy City Attorney Botvinick and Administrative Support Staff Eason.

AGENDA ITEM #1: INVOCATION

AGENDA ITEM # 2: PUBLIC COMMENT

None

Chair Braun made a request to modify agenda to here Agenda Item 5(A)1 – case Z-16-16 first.

Mr. Swink made a motion to modify the agenda. Mr. Fluhrer seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 5: OLD BUSINESS

AGENDA ITEM # 5 (A) REZONING CASE

AGENDA ITEM # 5 (A) 1: Z-16-16 – Cypress Club Drive (North CAC)

This site is located on south side of Strickland Rd, west of Harvest Oaks Dr., north of Forum Dr. and east of Lead Mine Rd.

This request is to rezone property from Residential-6-Conditional Use to Planned Development (PD).

Planner Dillard gave a brief overview of the case regarding CAC support of 28-0; consistency with Comprehensive Plan and Future Land Use Map. This property is mostly built-out with independent senior living. The applicant would like to construct the two remaining apartment buildings, which would not be permitted in the current zoning district. The applicant has already received site plan approval for the last two apartment buildings.

Mack Paul representing the applicant gave a brief overview of the case regarding technical comments made on the Master Plan.

Mr. Botvinick went over the changes on paragraphs 5(a), 5(b)1, 5(c)1, 6(a) and 6(b) of the Master Plan. The applicant concurred with the suggested changes.

There was further discussion regarding applicant willingness to add a transit easement and whether it could be added to conditions at this time and considered or whether there would be a need to defer.

The applicant would be willing to add an offer of a transit easement in the zoning conditions, but would like the case to move forward. Assistant Director Crane stated that the Commission must either defer the case and allow the applicant to add an offer for a transit facility, or make a recommendation on the case as it was presented today. The applicant would have the option to add the transit facility to the Master Plan during the City Council review.

Mr. Swink made a motion to approve the case. Mr. Terando seconded the motion. The vote was unanimous 10-0.

Mr. Terando made a motion to reconsider the case. Mr. Lyle seconded the motion. The vote was unanimous 10-0.

Mr. Swink made a motion to approve the case with the technical changes noted by the Deputy City Attorney and requested that the applicant offer the transit easement on the Master Plan at time of

City Council review. He stated that the request was consistent with the Comprehensive Plan and future land use map. He further stated that this rezoning would allow development that is in conformance with existing development and zoning. Mr. Terando seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 3: COMMITTEE REPORTS

AGENDA ITEM # 3 (A) Committee of the Whole

AGENDA ITEM # 3 (A) 1: Z-15-16 - Falls of Neuse/Raven Ridge Roads.

This site is located on Falls of Neuse Road, east side, at its intersection with Raven Ridge Road.

The request would rezone the property from Residential-4 with Urban Watershed Protection Overlay District (R-4 w/ UWPOD) to Commercial Mixed Use-3 stories-Parking Limited-Conditional Use with Urban Watershed Protection Overlay District (CX-3-PL-CU w/ UWPOD).

Planner Hill gave a brief overview of the case regarding issues discussed at Committee Of The Whole meeting on October 4, 2016; the deadline for Planning Commission recommendation is October 31, 2016 and landscape buffers being proposed as an alternative.

Mr. Terando asked for clarification regarding tree conservation area and how it is determined.

Mr. Hill responded that the requirement is 40% of this site is reforested.

There was further discussion of conditions regarding frontage; tree conservation; protected landscape buffers and size of building to obtain larger retail space.

Tom Worth representing the applicant gave a brief overview of the case regarding previous consistencies and inconsistencies of the case and asked for continuance of the case until the October 25th Planning Commission meeting to allow applicant to further work out outstanding issues. Mr. Worth stated that his client is considering a reduction of retail square footage, an addition of office square footage and the potential of a Green frontage instead of Parking Limited.

Yvonne Dewald spoke in opposition making it clear that the community had made comments to the developer.

Sharon Davis from Ravens Point Subdivision spoke in opposition regarding character of green corridor and making it clear that a large majority of the neighborhood is not in favor.

There was brief discussion regarding the fact that this case was heard at 3 Committee Of The Whole meetings and a question if a deferral is necessary.

Mr. Lyle made a motion to defer. Mr. Fluhrer seconded the motion. The vote was not unanimous

8-2. Mr. Braun, Ms. Alcine, Mr. Fluhrer, Ms. Hicks, Mr. Lyle, Mr. Schuster, Mr. Swink and

Mr. Tomasulo voted in favor. Ms. Jeffreys and Mr. Terando were opposed.

AGENDA ITEM # 4: NEW BUSINESS

AGENDA ITEM # 4(A): REZONING CASES

AGENDA ITEM # 4 (A) 1: Z-18-16 – Homewood Banks Drive (Northwest CAC)

This site is located on Homewood Banks Drive, west side, at its intersection with Blue Ridge Road.

This request is to rezone property from Residential-4 & Residential-6 (R-4 & R-6) to Residential Mixed Use-3 stories-Parking Limited-Conditional Use (RX-3-PL-CU).

Planner Hill presented the case regarding the deadline recommendation is January 9, 2017 and CAC meeting to be held this evening.

There was brief discussion regarding topography; sensitivity of the area; runoff and belief this is an outstanding issue.

Mr Hill responded that consideration is being put forth to address steep slope and what would be an appropriate response from the applicant.

David York representing the applicant gave a brief overview regarding working with the neighbors to the north of the site; requesting a deferral to attend the CAC meeting this evening and being happy to speak to the steep slopes at next meeting in greater detail.

Ms. Jeffreys asked if area was currently under water.

Mr. Terando stated that he would like to see a condition that addresses the environmental sensitivities of the area.

Roger Corner representing the neighborhood spoke in opposition regarding the area being too dense; inconsistent with Future Land Use Map; inconsistent with 8 policies and encourages the applicant to reconsider amount of density they're asking for.

Mr. Terando made a motion to defer the case. Ms. Jeffreys seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 4 (A) 2: Z-21-16 – Lumley Road (Northwest CAC)

This site is located on north side of intersection of Interstate 540 and Lumley Road, with access from Arco Corporate Drive.

This request is to rezone property from Office Mixed Use-7 Stories-Parking Limited with Airport Overlay District and Special Highway Overlay District-2 to Office Park-12 Stories-Conditional Use with Airport Overlay District and Special Highway Overlay District-2.

Planner Hardin presented the case.

There was brief discussion regarding whether there was any conflict with a tall building located in the Airport Overlay District.

Mr. Hardin responded that there was nothing that specifically addressed maximum height and also stated that the Airport Authority has no issues with this case.

Mr. Birch representing the applicant gave a brief overview of the case regarding this being a contaminated site; public access easement; frontage and site constraints; favorable vote from CAC; asking for additional height but keeping the intensity the same and existing greenway easement..

Mr. Terando asked if transit easement was being offered.

Mr. Birch responded regarding transit easement being offered; safety standards; sidewalks and consistency with Comprehensive Plan.

There was no public comment.

Mr. Swink made a motion to approve the case, stating that is was consistent with the Comprehensive Plan and future land use map, and that the rezoning would add opportunities for development in the area. Mr. Fluhrer seconded the motion. The vote was unanimous 10-0.

Ms. Jeffreys made a motion to modify the agenda to hear case Z-26-16. Mr. Braun seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 4 (A) 5: Z-26-16 – North Ridge South. (North CAC)

This site is located on multiple properties, between New Market Way and North Ridge Drive.

This request is to rezone property from Residential-6 (R-6) to Residential-6 with Neighborhood Conservation Overlay District (R-6 w/ NCOD).

Planner Hill presented the case.

Carol Jones representing the residents of North Ridge South spoke regarding the City Council amending the UDO and NCOD formed; consistency with several land use policies and favorable vote from residents.

Jennifer Malloy also in favor spoke regarding request to change from R-6 to R-6 with NCOD; preserving quality of neighborhood; support of 82% of neighbors and being proud to be the first NCOD in 10 years and appreciates if the commission would move this case forward to City Council.

Jane Vestal also in favor spoke regarding reason for the NCOD.

Hazim Dahir spoke in opposition and stated he hadn't received any communication regarding this request.

Mr. Schuster made a motion to approve the case, stating that the request is consistent with the Comprehensive Plan and future land use map, and that 82% of the property owners had agreed with the request. Ms. Jeffreys seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 4 (A) 3: Z-23-16 – Poole Road. (East CAC)

The site is located on Poole Road, at its intersection with Norwood Street.

The request is to rezone property from Residential-6 (R-6) to Commercial Mixed Use-3 stories-Conditional Use (CX-3-CU).

Planner Hill presented the case.

Danny Coleman the applicant gave a brief overview of the case regarding being on the November CAC agenda.

Hardy Watkins, 298 Gladstone Drive, spoke in favor of the case regarding this being an opportunity to improve the community and encourages approval of the request.

Ms. Alcine made a motion to defer the case until November 22, 2016 Planning Commission Meeting. Mr. Tomasulo seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 4 (A) 4: Z-25-16 – Leesville Road. (Northwest CAC)

The site is located on Leesville Rd, south side, west of its intersection with Englehardt Dr.

The request is to rezone property from Industrial Mixed Use – 3 Stories – with Special Highway Overlay District-2 and Airport Overlay District (IX-3 w/ SHOD-2 & AOD) to Residential 4 – Conditional Use– with Special Highway Overlay District-2 (R-4 with SHOD-2).

Planner Huemer presented the case.

There was discussion regarding location of the SHOD-2; proposed use and detriment and CAC meeting being this evening.

Katherine Wilkerson representing the applicant gave a brief overview regarding this case being heard at last CAC meeting and the vote will be at this evenings meeting and asked for deferral of the case until next meeting. There was some discussion regarding the status of Englehart Drive. The right-of-way appears to be in place, although the improvements are not. There is a planned development to the south that would be required to construct the public improvements. If this property were rezoned, the construction of a single family house would not necessitate the construction of any public improvements.

There was no public comment.

Mr. Terando made a motion to defer the case. Mr. Tomasulo seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 6: APPROVAL OF MINUTES - Approval of September 27, 2016 Planning Commission Meeting Minutes and October 4, 2016 Committee Of The Whole Meeting Minutes.

Mr. Terando made a correction minutes. Case Z-19-16 was voted 6-1 therefore should be listed "not unanimous". Ms. Jeffreys wanted the record to show that she had concerns regarding R-10 in case TC-2-16.

Mr. Terando made a motion to approve the Planning Commission minutes with the above corrections. Mr. Fluhrer seconded the motion. The vote was unanimous 10-0.

Mr. Terando made a motion to approve the Committee Of The Whole Meeting minutes. Ms. Hicks seconded the motion. The vote was unanimous 10-0.

AGENDA ITEM # 7(B): REPORT FROM THE MEMBERS

Ms. Jeffreys stated that she had spoken with Mr. Terando regarding attending Transportation Committee meeting to discuss the topic of self drive cars.

AGENDA ITEM # 7(D): REPORT FROM THE PLANNING DIRECTOR

Mr. Crane gave brief update of recent City Council actions.

- Z-17-16 Creedmoor Rd – referred to Growth and Natural Resources
- TC-2-16 Stormwater Exemptions – Scheduled for public hearing on November 1
- Z-14-16 ACC Blvd - Scheduled for public hearing on November 1
- Z-19-16 Falls of Neuse Rd and Dunn Rd - Scheduled for public hearing on November 1
- Z-20-16 Jeffreys Grove School Rd – held at the table to wait for signed conditions
- TC-11-16 – referred to Growth and Natural Resources
- TC-14-16 – Council voted to create a special task force with two members selected by each Council member. Task force is to report back in three months.

AGENDA ITEM # 8: ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:30 a.m.

Respectfully,
Travis Crane
Assistant Planning Director
Transcribed by: Chenetha Eason

